

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEXTEC APPLICATIONS, INC.,

Plaintiff,

v.

BROOKWOOD COMPANIES, INC.,
and THE HALLWOOD GROUP, INC.,

Defendants.

Case No. 07 CV 06901 (RJH)

**MOTION TO ADMIT COUNSEL
*PRO HAC VICE***

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, Amy S. Manning, a member in good standing of the Bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

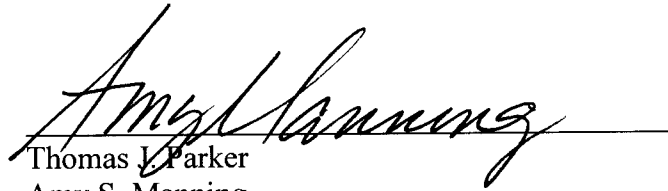
Applicant's Name: Jitendra Malik
Firm Name: Alston & Bird LLP
Address: Bank of America Plaza, 101 South Tryon Street, Suite 4000
City/State/Zip: Charlotte, North Carolina 28280-4000
Phone: (704) 444-1115
Fax: (704) 444-1111
Email: jitty.malik@alston.com

Jitendra Malik is a member in good standing of the Bar of the State of North Carolina.

There are no pending disciplinary proceedings against Dr. Malik, in any State or Federal court.

Respectfully submitted this 11 day of April, 2008.

ALSTON & BIRD LLP

A handwritten signature in cursive script, appearing to read "Amy S. Manning", is written over a horizontal line.

Thomas L. Parker
Amy S. Manning
90 Park Avenue
New York, New York 10016-1387
(212) 210-9400 – Telephone
(212) 210-9444 – Facsimile

Blas P. Arroyo
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, North Carolina 28280-4000
(704) 444-1000 – Telephone
(704) 444-1111 – Facsimile

Attorneys for Defendant
BROOKWOOD COMPANIES, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEXTEC APPLICATIONS, INC.,)	
)	
Plaintiff,)	Case No. 07 CV 06901 (RJH)
)	
v.)	
)	
BROOKWOOD COMPANIES, INC.,)	AFFIDAVIT OF AMY S. MANNING IN
and THE HALLWOOD GROUP, INC.,)	SUPPORT OF MOTION TO ADMIT
)	COUNSEL <i>PRO HAC VICE</i>
Defendants.)	

State of New York)
) ss.
County of New York)

Amy S. Manning, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Alston & Bird LLP, counsel for Defendant Brookwood Companies, Inc. ("Brookwood") in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Brookwood's motion to admit Jitendra Malik as counsel *pro hac vice* to represent Brookwood in this matter.

2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in July 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Jitendra Malik since December 2004.

4. Dr. Malik is an associate at Alston & Bird LLP in Charlotte, North Carolina.

5. I have found Dr. Malik to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

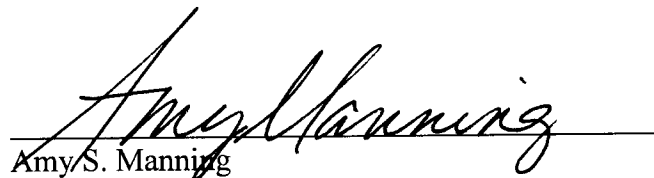
6. Accordingly, I am pleased to move the admission of Jitendra Malik, *pro hac vice*.

7. I respectfully submit a proposed Order granting the admission of Jitendra Malik, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Jitendra Malik, *pro hac vice*, to represent Defendant Brookwood in the above-captioned matter, be granted.

Respectfully submitted this 11 day of April, 2008.

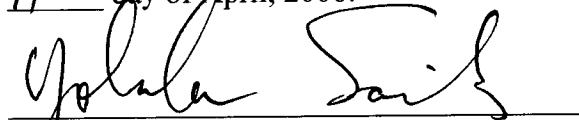
ALSTON & BIRD LLP



Amy S. Manning
90 Park Avenue
New York, New York 10016-1387
(212) 210-9400 – Telephone
(212) 210-9444 – Facsimile

Attorneys for Defendant
BROOKWOOD COMPANIES, INC.

Sworn to before me this
11 day of April, 2008.



Notary Public

Commission Expires Dec. 11, 2010
YOLANDA SANCHEZ
Notary Public, State of New York
No. 01SA6157467
Qualified in Bronx County

YOLANDA SANCHEZ
Notary Public, State of New York
No. 01SA6157467
Qualified in Bronx County
Commission Expires Dec. 11, 2010

Supreme Court OF THE STATE OF NORTH CAROLINA



I, Christie Speir Cameron, Clerk of the Supreme Court of North Carolina, do hereby certify that on August 26, 2004, a license to practice as an Attorney and Counselor at Law in all the Courts of this State was issued by the North Carolina Board of Law Examiners to

JITENDRA MALIK

according to the certified list of licentiates reported by the Secretary of said Board and filed in my office as required by statute.

To the date of this certificate, no order revoking said license has been filed with this Court and no order suspending same is in effect.

WITNESS my hand and the Seal of the Supreme Court of North Carolina at the office in Raleigh, this *April 1, 2008*

Christie S. Cameron
Christie Speir Cameron
Clerk of the Supreme Court
of the State of North Carolina

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEXTEC APPLICATIONS, INC.,

Plaintiff,

V.

**BROOKWOOD COMPANIES, INC.,
and THE HALLWOOD GROUP, INC.,**

Defendants.

Case No. 07 CV 06901 (RJH)

**ORDER OF ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the written motion of Amy S. Manning, attorney for Brookwood Companies, Inc., and said sponsor attorney's affidavit declaration that applicant Jitendra Malik is a member in good standing of the Bar of the State of North Carolina; and that applicant's contact information is as follows:

Applicant's Name:	Jitendra Malik
Firm Name:	Alston & Bird LLP
Address:	Bank of America Plaza, 101 South Tryon Street, Suite 4000
City/State/Zip:	Charlotte, North Carolina 28280-4000
Phone:	(704) 444-1115
Fax:	(704) 444-1111
Email:	jitty.malik@alston.com

said applicant having requested admission *pro hac vice* to appear for all purposes as counsel for Brookwood Companies, Inc. in the above-entitled action;

IT IS HEREBY ORDERED that Jitendra Malik is admitted to practice *pro hac vice* as counsel for Brookwood Companies, Inc. in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are

subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately register for an ECF password at nysd.uscourts.gov. Counsel shall immediately forward the *pro hac vice* fee to the Clerk of the Court.

This _____ day of April, 2008.

UNITED STATES DISTRICT COURT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEXTEC APPLICATIONS, INC.,

Plaintiff,

v.

BROOKWOOD COMPANIES, INC.,
and THE HALLWOOD GROUP, INC.,

Defendants.

Case No. 07 CV 06901 (RJH)

AFFIDAVIT OF SERVICE

State of New York)

) ss.

County of New York)


Gylanda Sanchez, being duly sworn, deposes and says that I am employed in the office of Alston & Bird LLP, attorneys for Defendant Brookwood Companies, Inc., and that on April 11, 2008, I served a true copy of the within:

- (1) Motion to Admit Counsel *Pro Hac Vice*;
- (2) Affidavit of Amy S. Manning in Support of Motion to Admit Counsel *Pro Hac Vice*; and
- (3) Proposed Order of Admission *Pro Hac Vice* on Written Motion

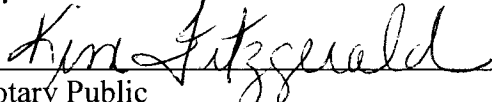
by mailing a copy of the same in a postage-paid, first-class envelope addressed as follows:

Kesari Ruza, Esq.
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
30 Rockefeller Plaza, 24th Floor
New York, New York 10112

Amar L. Thakur, Esq.
Jon E. Maki, Esq.
Michael Murphy, Esq.
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
12275 El Camino Real, Suite 200
San Diego, California 92130
(Attorneys for Plaintiff Nextec Applications, Inc.)



Sworn to before me this
11th day of April, 2008.



Notary Public

KIM FITZGERALD
Notary Public, State of New York
No. 01FI609313
Qualified in Kings County
Certificate Filed in New York County
Commission Expires August 9, 20 09